

the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 1130

At the request of Ms. SNOWE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1130, a bill to provide for a demonstration project regarding Medicaid reimbursements for stabilization of emergency medical conditions by non-publicly owned or operated institutions for mental diseases.

S. 1155

At the request of Ms. COLLINS, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 1155, a bill to amend title 38, United States Code, to establish the position of Director of Physician Assistant Services within the office of the Under Secretary of Veterans Affairs for health.

S. 1304

At the request of Mr. GRASSLEY, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1304, a bill to restore the economic rights of automobile dealers, and for other purposes.

S. 1428

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1428, a bill to amend the Toxic Substances Control Act to phase out the use of mercury in the manufacture of chlorine and caustic soda, and for other purposes.

AMENDMENT NO. 2226

At the request of Mr. NELSON of Nebraska, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of amendment No. 2226 proposed to H.R. 2997, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2233. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 2234. Mr. LEAHY proposed an amendment to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, supra.

SA 2235. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2236. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2237. Mr. DODD (for himself, Mr. KENNEDY, Mr. REED, Mr. LIEBERMAN, Mr. WHITEHOUSE, and Mr. KERRY) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2238. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2239. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, supra; which was ordered to lie on the table.

SA 2240. Mr. BARRASSO (for himself, Mr. VITTER, Mr. HATCH, Mr. ROBERTS, Mr. ENZI, Mr. THUNE, and Mr. JOHANNIS) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2233. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 59, line 22, strike “2,995,218,000” and insert “3,230,218,000”.

On page 60, line 9, strike “and”.

On page 60, line 12, after “expended”, insert “; and \$235,000,000 shall be derived from tobacco product user fees authorized by the Family Smoking Prevention and Tobacco Control Act (Public Law 111-31) and shall be credited to this account and remain available until expended”.

On page 60, line 14, strike “and”, and insert “; and tobacco product” after “generic drug”.

On page 61, line 12, strike (7) and insert “(8)”; after “Research;” insert “(7) \$216,523,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs;” and strike “\$115,882,000” and insert “\$117,225,000”.

On page 61, line 15, strike “(8)” and insert “(9)”.

On page 61, line 16, strike “\$168,728,000” and insert “\$171,526,000”.

On page 61, line 17, strike “(9)” and insert “(10)”.

On page 61, line 18, strike “\$185,793,000” and insert “\$200,129,000”.

SA 2234. Mr. LEAHY proposed an amendment to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; as follows:

On page 8, line 2, before the period, insert the following: “: *Provided*, That of the amount made available for the Office of Inspector General to conduct investigations such sums as are necessary shall be made

available for the inspection of the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.)”.

SA 2235. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7 _____. (a) In this section, the term “discretionary spending” means all amounts provided under this Act other than amounts provided for programs funded through direct spending (as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

(b) Notwithstanding any other provision of this Act, each discretionary spending amount provided by this Act is reduced by the pro rata percentage required to reduce the total discretionary spending amount provided by this Act to \$20,721,900,000.

SA 2236. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, line 19, strike “2250a.” and insert the following:

2250a: *Provided further*, That, of the funds made available by this Act for the conduct of activities by the Natural Resources Conservation Service in the State of Maine, not less than \$1,500,000 shall be used to carry out irrigation activities.

SA 2237. Mr. DODD (for himself, Mr. KENNEDY, Mr. REED, Mr. LIEBERMAN, Mr. WHITEHOUSE, and Mr. KERRY) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7 _____. (a) Notwithstanding any other provision of law, the Secretary of Agriculture shall consider the following communities and municipal districts to be rural areas for purposes of eligibility for water or waste disposal grants and direct or guaranteed loans described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d(d)(2)):

(1) The unincorporated community of Bourne, in Barnstable County, Massachusetts.

(2) The unincorporated community of Charlton, in Worcester County, Massachusetts.

(3) The unincorporated community of Dudley, in Worcester County, Massachusetts.

(4) The North Raynham Water District, in Bristol County, Massachusetts.

(5) The Bolton Lakes Regional Water Pollution Control Area, in Tolland County, Connecticut.

(6) The Cherry Valley/Rochdale District, in Worcester County, Connecticut.

(7) The North Tiverton Fire District, in Newport County, Rhode Island.

(8) The Harrisville Fire District, in Providence County, Rhode Island.

(b) Notwithstanding any other provision of law, the Secretary of Agriculture shall consider the following communities and municipal districts to be rural areas for purposes of eligibility for community facility direct and guaranteed loans and grants under section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)):

(1) The town of North Kingstown, Rhode Island.

(2) The town of Newtown, in Fairfield County, Connecticut.

(3) The town of Windham, in Windham County, Connecticut.

SA 2238. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7. Section 1506(e)(2) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773(e)(2)) is amended by adding at the end the following:

“(C) MULTIGENERATIONAL DAIRY PRODUCERS.—In addition to the payment quantity limitation for all producers on a single dairy operation established under subparagraph (A), the Secretary shall establish a separate payment quantity limitation for each producer on a single dairy operation who, as determined by the Secretary—

“(i) is a lineal descendant of another producer who—

“(I) owns or operates the single dairy operation; and

“(II) is eligible to receive a payment subject to all or part of the payment quantity limitation for the single dairy operation established under subparagraph (A);

“(ii) is a producer with respect to the dairy operation, as determined by the Secretary in accordance with the standards described in subparagraph (B); and

“(iii) uses the income from the dairy operation to support the family of the producer.”.

SA 2239. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7. None of the funds appropriated by this Act for the Food and Drug Administration may be used to prevent an individual not in the business of importing a prescrip-

tion drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(g))) from importing a prescription drug from Canada that complies with the Federal Food, Drug, and Cosmetic Act: *Provided*, That the prescription drug may not be—

(1) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(2) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SA 2240. Mr. BARRASSO (for himself, Mr. VITTER, Mr. HATCH, Mr. ROBERTS, Mr. ENZI, Mr. THUNE, and Mr. JOHANNIS) submitted an amendment intended to be proposed to amendment SA 1908 submitted by Mr. KOHL (for himself and Mr. BROWNBAC) to the bill H.R. 2997, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7. (a) Not later than 60 days after the date of enactment of this Act, the Secretary of Agriculture shall complete a State-by-State analysis of the impacts on agricultural producers of the American Clean Energy and Security Act of 2009 (H.R. 2452, as passed by the House of Representatives on June 26, 2009) (referred to in this section as “H.R. 2452”).

(b) In conducting the analysis under subsection (a), the Secretary shall—

(1) use a range of peer-reviewed analyses of H.R. 2454 conducted by public and private entities, including land grant universities;

(2) consider a scenario in which the fertilizer industry does not receive any free allowances under H.R. 2454;

(3) consider the impacts of H.R. 2454 on a range of fishing, aquaculture, livestock, poultry, and swine production and a variety of crop production, including specialty crops; and

(4) analyze projected land use changes, afforestation patterns, and other market incentives created by H.R. 2454 that may impact food or agriculture commodity prices, including specific acreage estimates of parcels of land planted with trees in the United States.

PRIVILEGES OF THE FLOOR

Mr. BROWNBAC. Mr. President, I ask unanimous consent that Melanie Benning from my office be granted floor privileges during consideration of H.R. 2997.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE AND A CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Mr. REID. I ask unanimous consent the Senate proceed to H. Con. Res. 172.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 172) providing a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 172) was agreed to, as follows:

H. CON. RES. 172

Resolved by the House of Representatives (the Senate concurring), That, in consonance with section 132(a) of the Legislative Reorganization Act of 1946, when the House adjourns on the legislative day of Friday, July 31, 2009, Saturday, August 1, 2009, or Sunday, August 2, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, September 8, 2009, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, August 6, 2009, through Tuesday, August 11, 2009, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, September 8, 2009, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 265, 267, 319, 329, 330, 332, 334 to and including 367, 369, and all nominations on the Secretary's desk in the Air Force, Army, and Navy en bloc; that the nominations be confirmed en bloc and the motions to reconsider be laid on the table en bloc; that no further motions be in order and any statements relating thereto be printed in the RECORD; and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

Capricia Penavic Marshall, of the District of Columbia, to be Chief of Protocol, and to have the rank of Ambassador during her tenure of service.

Nancy J. Powell, of Iowa, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Director General of the Foreign Service.